

**TRADEMARK ASSIGNMENT**

Electronic Version v1.1  
 Stylesheet Version v1.1

SUBMISSION TYPE:	NEW ASSIGNMENT
NATURE OF CONVEYANCE:	NUNC PRO TUNC ASSIGNMENT
EFFECTIVE DATE:	03/15/2004

**CONVEYING PARTY DATA**

Name	Formerly	Execution Date	Entity Type
PowerSurge Technologies, Inc.		04/05/2005	CORPORATION: IOWA

**RECEIVING PARTY DATA**

Name:	PS Acquisition, Inc.
Street Address:	2349 Jamestown Avenue
City:	Independence
State/Country:	IOWA
Postal Code:	50644
Entity Type:	CORPORATION: IOWA

**PROPERTY NUMBERS Total: 2**

Property Type	Number	Word Mark
Serial Number:	76092161	
Registration Number:	2747055	

**CORRESPONDENCE DATA**

Fax Number: (703)413-2220  
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 Phone: 703-413-3000  
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 Address Line 4: Alexandria, VIRGINIA 22314

NAME OF SUBMITTER:	Brian B. Darville, Esq.
Signature:	/Brian B. Darville/

Date:

04/05/2005

**Total Attachments: 4**

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**NUNC PRO TUNC TRADEMARK ASSIGNMENT**

WHEREAS, PowerSurge Technologies, Inc., a corporation organized under the laws of the State of Iowa, formerly located and doing business at 402 Main Street, Suite 200, Cedar Falls, Iowa 50613-0632 (hereinafter "Assignor"), is the owner of the following service marks:

MISCELLANEOUS DESIGN, U.S. Reg. No. 2,747,055, issued August 5, 2003, for "Computer services, namely, hosting the websites of others on a computer server for a global computer network; computer services, namely, designing and implementing websites for others for conducting commercial transactions through the global computer network; and computer consultation, namely, designing and implementing electronic commerce solutions for conducting commercial transactions through the global computer network" in International Class 42 (shown in Exhibit A hereto); and

MISCELLANEOUS DESIGN, U.S. Application Serial No. 76/092,161, filed July 19, 2000, for "electronic mail services" in International Class 38; and for "electronic storage of data and documents" in International Class 39 (shown in Exhibit B hereto)

(hereinafter collectively the "Assigned Marks"); and

WHEREAS, PS Acquisition, Inc., a corporation organized and existing under the laws of the State of Iowa, located and doing business at 2349 Jamestown Avenue, Independence, Iowa 50644 (hereinafter "Assignee"), the successor to that portion of the ongoing and existing business of Assignor to which the Assigned Marks pertain, desired to acquire all right, title and interest in and to the Assigned Marks;

WHEREAS, on or about March 15, 2004, Assignor assigned all of its right, title and interest in and to the Assigned Marks to Assignee, who was and is the successor to that portion of the ongoing and existing business of Assignor to which the Assigned Marks pertain;


WHEREAS, Assignor and Assignee, wish to confirm that prior assignment of the Assigned Marks from Assignor to Assignee through this written *Nunc Pro Tunc* Trademark Assignment;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, and effective *nunc pro tunc* as of March 15, 2004, said Assignor hereby confirms and ratifies that on or about March 15, 2004, Assignor sold, assigned, set over and transferred to Assignee, the entire right, title and interest in and to the Assigned Marks, together with the goodwill connected with the use of and symbolized by the Assigned Marks, the same and the rights of said Assignor to be held and enjoyed by said Assignee for its own use and enjoyment, and for use and enjoyment of its successors, assigns or other legal representatives, to the end of the term or terms for which the trademark registrations may be renewed or reissued, as fully or entirely as the same would have been held and enjoyed by said Assignor if this assignment and sale had not been made, together with all claims for damages by reason of past infringement of said Assigned Marks, with the right to sue for and collect the same for its own use and behalf, and for the use of its successors, or other legal representatives.

IN TESTIMONY WHEREOF, said Assignor has caused his name to be signed this 5<sup>th</sup> day of April, 2005.

POWERSURGE TECHNOLOGIES, INC.

Signature: \_\_\_\_\_

  
Its Authorized Agent

Name: \_\_\_\_\_

Ian Andrews

Title/Position: \_\_\_\_\_

President / CEO

Date: \_\_\_\_\_

5/5/2005

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**EXHIBIT A**

**Int. Cl.: 42**

**Prior U.S. Cls.: 100 and 101**

**Reg. No. 2,747,055**

**Registered Aug. 5, 2003**

**United States Patent and Trademark Office**

**SERVICE MARK  
PRINCIPAL REGISTER**



**POWERSURGE TECHNOLOGIES, INC. (IOWA CORPORATION)  
402 MAIN STREET, SUITE 200  
CEDAR FALLS, IA 506130632**

**FOR: COMPUTER SERVICES, NAMELY, HOSTING THE WEBSITES OF OTHERS ON A COMPUTER SERVER FOR A GLOBAL COMPUTER NETWORK; COMPUTER SERVICES, NAMELY, DESIGNING AND IMPLEMENTING WEBSITES FOR OTHERS FOR CONDUCTING COMMERCIAL TRANSACTIONS THROUGH THE GLOBAL COMPUTER NETWORK; AND COMPUTER CONSULTATION,**

**NAMELY, DESIGNING AND IMPLEMENTING ELECTRONIC COMMERCE SOLUTIONS FOR CONDUCTING COMMERCIAL TRANSACTIONS THROUGH THE GLOBAL COMPUTER NETWORK, IN CLASS 42 (U.S. CLS. 100 AND 101).**

**FIRST USE 11-1-1996; IN COMMERCE 11-1-1996.**

**SER. NO. 76-975,512, FILED 7-19-2000.**

**LINDA M. KING, EXAMINING ATTORNEY**



United States Patent and Trademark Office

EXHIBIT B

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Trademarks > Trademark Electronic Search System (TESS)

## Trademark Electronic Search System(Tess)

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### Record 1 out of 1

(TARR contains current status, correspondence address and attorney of record for this mark. Use the "Back" button of the Internet Browser to return to TESS)



Goods and Services IC 039. US 100 105. G & S: ELECTRONIC STORAGE OF DATA AND DOCUMENTS

IC 038. US 100 101 104. G & S: ELECTRONIC MAIL SERVICES

Mark Drawing Code (2) DESIGN ONLY

Design Search Code 011502 260120 260121

Serial Number 76092161

Filing Date July 19, 2000

Current Filing Basis 1A;1B

Original Filing Basis 1A;1B

Published for  
Opposition July 16, 2002

Owner (APPLICANT) PowerSurge Technologies, Inc. CORPORATION IOWA 402 Main Street, Suite 200 Cedar Falls IOWA 506130632

Attorney of Record Brian B. Darville

Type of Mark SERVICE MARK

Register PRINCIPAL

Live/Dead Indicator LIVE

